

FISCAL MEMORANDUM

HB 852 – SB 1054

February 16, 2008

SUMMARY OF AMENDMENT (013677): Deletes all language after the enacting clause. Requires a person convicted of a Class E felony offense of leaving the scene of an accident involving a death in addition to a conviction for vehicular assault, vehicular homicide or aggravated vehicular homicide to serve such convictions consecutively.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$692,200/Incarceration*

Decrease Local Govt. Revenues – Not Significant

Decrease Local Govt. Expenditures – Not Significant

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures - \$13,800/Incarceration*

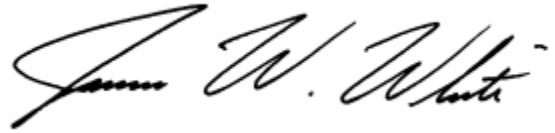
Assumptions applied to amendment:

- Currently leaving the scene of an accident is a Class E felony if the driver knew or should have known that death resulted from the accident.
- According to the Department of Correction (DOC) there has been an average of 39 admissions per year for the past four years for vehicular assault estimates. DOC estimates four percent (2) of those involved the driver leaving the scene of the accident and would have to serve a consecutive sentence as a result of this bill.
- Two persons will be sentenced to serve a consecutive sentence for the Class E felony offense of leaving the scene of an accident resulting in death. According to DOC, the average operating cost per inmate per day for calendar year 2008 is \$62.78. The cost per inmate at 0.3 years is \$6,879.43 (\$62.78 x 109.58 days). The cost for two additional offenders is \$13,758.86 (\$6,879.43 x 2).
- No significant incarceration cost increase will occur due to population growth in this period.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director

/lsc